

## **Assembly Bill No. 1202**

### **CHAPTER 330**

An act to amend Section 65050 of the Government Code, relating to the Military and Aerospace Support Act.

[Approved by Governor September 22, 2005. Filed with  
Secretary of State September 22, 2005.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

**AB 1202, Laird. Military and Aerospace Support Act.**

Existing law specifies a single reuse entity for certain specified military bases subject to closure pursuant to the federal Defense Base Closure and Realignment Act and also specifies a procedure for the recognition of a single local reuse entity for any military base that is closed in this state. Existing law authorizes the Director of Planning and Research under specified circumstances to appoint a mediator to reach agreement among the affected jurisdictions on a single local reuse entity.

This bill would change obsolete references of the "Defense Conversion Council" to the Office of Military and Aerospace Support and revise the definition of military base. The bill would specify that the Director of Planning and Research shall select a mediator in consultation with the federal Office of Economic Adjustment prior to 120 days from the effective date of the base closure decision.

This bill would revise the procedure for the recognition of a single local reuse entity for any military base that is closed in this state by providing, among other things, that recognition is subject to the regulations of the federal Office of Economic Adjustment and by requiring the Office of Military and Aerospace Support to consult with that office pursuant to specified procedures.

*The people of the State of California do enact as follows:*

SECTION 1. Section 65050 of the Government Code is amended to read:

65050. (a) As used in this article, the following phrases have the following meanings:

(1) "Military base" means a military base that is designated for closure or downward realignment where real property will be made available for disposal pursuant to the Defense Authorization Amendments and Base Closure and Realignment Act (P.L. 100-526), the Defense Base Closure and Realignment Act of 1990 (P.L. 101-510), or any subsequent closure or realignment approved by the President of the United States without objection by the Congress.

(2) “Effective date of a base closure” means the date a base closure decision becomes final under the terms specified by federal law. These decisions become final 45 legislative days after the date the federal Base Closure Commission submits its recommendations to the President, he or she approves those recommendations, and the Congress does not disapprove those recommendations or adjourns.

(b) It is not the intent of the Legislature in enacting this section to preempt local planning efforts or to supersede any existing or subsequent authority invested in the Office of Military and Aerospace Support. It is the intent of this article to provide a means of conflict resolution between local agencies vying to seek recognition from the United States Department of Defense’s Office of Economic Adjustment as a single base reuse entity.

(c) For the purposes of this article, a single local base reuse entity shall be recognized pursuant to the regulations of the United States Department of Defense’s Office of Economic Adjustment.

(d) The following entities or their successors, including, but not limited to, separate airport or port authorities, are recognized by the United States Department of Defense’s Office of Economic Adjustment as the single local reuse entity for the military bases listed:

Military Base	Local Reuse Entity
George Air Force Base	Victor Valley Economic Development Authority
Hamilton Army Base	City of Novato
Mather Air Force Base	County of Sacramento
Norton Air Force Base	Inland Valley Development Authority
Presidio Army Base	City and County of San Francisco
Salton Sea Navy Base	Imperial County
Castle Air Force Base	County of Merced
Hunters Point Naval Annex	City and County of San Francisco
Long Beach Naval Station	City of Long Beach
MCAS Tustin	City of Tustin
Sacramento Army Depot	City of Sacramento
MCAS El Toro	Local redevelopment authority recognized by the United States Department of Economic Adjustment
March Air Force Base	March Joint Powers Authority
Mare Island Naval Shipyard	City of Vallejo

Naval Training Center, San Diego	City of San Diego
NS Treasure Island	City and County of San Francisco
NAS Alameda, San Francisco Bay Public Works Center, Alameda Naval Aviation Depot	Alameda Reuse and Redevelopment Authority
Oakland Military Complex	Oakland Base Reuse Authority
Fort Ord Army Base	Fort Ord Reuse Authority
Sierra Army Depot	County of Lassen

Any military base reuse authority created pursuant to Title 7.86 (commencing with Section 67800) that is recognized by the United States Department of Defense's Office of Economic Adjustment as the single local reuse entity for the specific military base.

(e) For any military base that is closed and not listed in subdivision (d), the United States Department of Defense's Office of Economic Adjustment will follow its established procedures in recognizing a single local reuse entity.

(f) If, after 60 days from the effective date of the base closure decision, a single local reuse entity cannot be recognized by the United States Department of Defense's Office of Economic Adjustment, the Director of the Office of Planning and Research, in consultation with the federal Office of Economic Adjustment, shall select a mediator, from a list submitted by the Office of Military and Aerospace Support containing no fewer than seven recommendations, to affect an agreement among the effected jurisdictions on a single local reuse entity acceptable to the federal Office of Economic Adjustment for recognition. In selecting a mediator, the director shall appoint a neutral person or persons, with experience in local land use issues, to facilitate communication between the disputants and assist them in reaching a mutually acceptable agreement prior to 120 days from the effective date of the base closure decision.

(g) As a last resort, and only if no recognition is made pursuant to the procedure specified in subdivisions (e) and (f) within 120 days after a base closure decision has become final or within 120 days after the date on which this section becomes operative, whichever date is later, the Office of Military and Aerospace Support shall hold public hearings, in consultation with the federal Office of Economic Adjustment, and recognize a single local base reuse entity for each closing base for which agreement is reached among the local jurisdictions with responsibility for complying with Chapter 3 (commencing with Section 65100) and Chapter 4 (commencing with Section 65800) on the base, or recommend legislation or action by the local agency formation commission if necessary to identify a single reuse entity that would be recognized by the federal Office of Economic Adjustment.

(h) In recognizing a single local reuse entity pursuant to subdivision (g), preference shall be given to existing entities and entities with responsibility for complying with Chapter 3 (commencing with Section 65100) and Chapter 4 (commencing with Section 65800).

(i) Any recognition of a single local reuse entity made pursuant to subdivision (f) or (g) shall be submitted by the Director of the Office of Planning and Research to the Governor, the Legislature, and the United States Department of Defense.